

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

## Defendants.

**Civil No. 04-12457 PBS**

**JOINT MOTION FOR ENTRY OF A REVISED SCHEDULING ORDER**

DePuy Mitek, Inc. (“DePuy Mitek”), Arthrex, Inc. (“Arthrex”), and Pearsalls Ltd. (“Pearsalls”) (the “Parties”), hereby jointly move the Court for entry of a revised scheduling order in the above captioned case to accommodate expert discovery.

The Parties' proposed revision extends the deadlines for filing dispositive motions by approximately two weeks. The proposed revisions do not affect summary judgment and Markman hearings or the schedule trial. The Parties respectfully move the Court for entry of the proposed scheduling Order attached hereto, which would revise the Scheduling Order as follows:

Event	Date
Opening Briefs on Summary Judgment (last day to file dispositive motions) and Claim Construction	August 11, 2006
Opposition Summary Judgment Briefs and Claim Construction	September 1, 2006
Reply Summary Judgment Briefs and Claim Construction	September 15, 2006
Summary Judgment and <i>Markman</i> Hearing	September 26, 2006 (no change)

Final Pretrial Conference	October 25, 2006 (no change)
Trial (5-7 days)	November 13, 2006 (no change)

Respectfully Submitted,

Counsel for Plaintiff

Counsel for Defendants

By: /s/ Michelle Chassereau Jackson

By: /s/ Raymond P. Ausrotas

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Dated: June 13, 2006

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**CERTIFICATE OF SERVICE**

I certify that the foregoing **JOINT MOTION FOR ENTRY OF A REVISED SCHEDULING ORDER** was served electronically on counsel for Arthrex and Pearsalls on June 13, 2006 as identified below:

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Dated: June 13, 2006

/s/ Michelle Chassereau Jackson  
Michelle Chassereau Jackson

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**DePuy Mitek, Inc.**  
**a Massachusetts Corporation**

**Plaintiff,**

**V.**

**Civil No. 04-12457 PBS**

**Arthrex, Inc.**  
**a Delaware Corporation and**

**Pearsalls Ltd.**  
a Private Limited Company  
of the United Kingdom

**Defendants.**

### REVISED SCHEDULING ORDER

Upon consideration of the Joint Motion for Entry of a Revised Scheduling Order, the following revised scheduling order is hereby entered in the above-captioned matter.

Event	Date
Opening Briefs on Summary Judgment (last day to file dispositive motions) and Claim Construction	August 11, 2006
Opposition Summary Judgment Briefs and Claim Construction	September 1, 2006
Reply Summary Judgment Briefs and Claim Construction	September 15, 2006
Summary Judgment and <i>Markman</i> Hearing	September 26, 2006 (no change)
Final Pretrial Conference	October 25, 2006 (no change)
Trial (5-7 days)	November 13, 2006 (no change)

**SO ORDERED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

United States District Judge